

Office of the
Legislative Fiscal Analyst

FY 2005 Budget Recommendations

Joint Appropriations Subcommittee for
Executive Offices and Criminal Justice

State Courts

Contents:

- 1.0 Summary
- 2.0 Issues
- 3.0 Programs
- 4.0 Additional Information

1.0 Courts

The State Constitution establishes the Judicial Branch as an independent branch of government, co-equal with the Executive and Legislative Branches.

The Utah Court System consists of The Utah Supreme Court, the Utah Court of Appeals and eight judicial districts (trial courts of general jurisdiction). Local governments may augment the state system through locally funded, limited jurisdiction Justice Courts. Justice Courts receive administrative support from the state and are required to operate in accordance with state standards and rules.

	Analyst FY 2005 Base	Analyst FY 2005 Changes	Analyst FY 2005 Total
Financing			
General Fund	88,835,900		88,835,900
General Fund Restricted	9,292,900		9,292,900
Federal Funds	53,300		53,300
Dedicated Credits	978,800		978,800
Transfers	2,131,600		2,131,600
Beginning Balance	(525,300)		(525,300)
Closing Balance	958,100		958,100
Total	\$101,725,300	\$0	\$101,725,300
Programs			
Administration	77,216,800		77,216,800
Grand Jury	800		800
Contracts and Leases	19,059,400		19,059,400
Jury and Witness Fees	1,730,000		1,730,000
Guardian ad Litem	3,718,300		3,718,300
Total	\$101,725,300	\$0	\$101,725,300
FTE/Other			
Total FTE	1,212		1,212
Vehicles	157	0	157

2.0 Key Issues: State Courts

2.1 FY 2005 Budget Recommendation Overview

The *Analyst FY 2005 Base* budget recommendation begins with the FY 2004 budget, less one-time appropriations. The FY 2004 Budget included \$88.8 million in ongoing funds and \$223,700 in one time funds.

2.2 Contracts and Lease Increases

During the 2003 General Session the Legislature approved the use of \$600,000 in fees from the Matheson Court House for ongoing programs. This shift creates a future deficit in the Contracts and Leases budget that must be filled prior to FY 2006. Additionally the Courts will see an increase of \$171,000 in lease expenses in FY 2005.

2.3 Jury, Witness and Interpreter Fees (AOC)

The Legislature traditionally funds the Jury, Witness and Interpreter fees line item through supplemental appropriations. In establishing revenue estimates for the current year and FY 2005, the Executive Appropriations Committee removed \$559,300 from the FY 2003 surplus to cover current deficits. The Administrative Office of the Courts (AOC) anticipates further FY 2004 deficits of \$150,000.

2.4 Cuts to Appellate Mediation Program (Court of Appeals)

As part of the effort to balance the FY 2004 budget the Legislature cut \$157,800 from the Appellate Court budget – an amount equivalent to the Appellate Mediation Program. The Judicial Council used turnover savings to continue the program in the current year.

2.4 Cuts to State Supervision (Juvenile Courts)

The State Supervision program provides “intensive supervision” for youth that may not respond to probation but do not require incarceration. Budget reductions taken in the Juvenile Courts budget resulted in the loss of \$490,000 for personnel and \$150,000 for contracts to serve youth in the program.

2.6 Sanpete Day Reporting Center (Juvenile Courts)

Day reporting centers provide intervention services designed to keep youth from entering more restrictive (and more expensive) programs through the court system. The Juvenile Court Board of Judges believe that youth in the Sixth District are underserved in relation to their peers around the state. Funding for a day reporting program will rely on local and federal grants, along with \$147,500 in state funds for staff.

2.7 Allocations made by Judicial Council

Each year the Judicial Council pools one-time funds, non-lapsing funds and turnover savings for allocation across the Judicial Branch. While this provides flexibility for the Courts, it may prove to hamper Legislative ability to balance the budget. This year the Council intends to allocate more than \$500,000 to various one-time programs. In the past the Council cut \$25,000 in ongoing funds from the Judicial Education program for use in other areas.

2.8 Non-Lapsing Funds

For years the Courts, like many other agencies, received blanket approval to carry forward funds from one year to the next. The Analyst understands that the ability to carry unspent funds from year to year allows agencies to upgrade equipment and provide for long term planning. However, the Analyst believes such authorization should be tied to specific projects and approved by the legislature in accordance with the Budgetary Procedures Act:

UCA 63-38-8.1(3) (a) Each agency that wishes to preserve any part or all of its appropriation balance as nonlapsing shall include a one-time project's list as part of the budget request that it submits to the governor and the Legislature at the annual general session of the Legislature immediately before the end of the fiscal year in which the agency may have an appropriation balance.

The Analyst believes that the Courts should present to the Governor and Legislature a specific request for non-lapsing authority. Given that each line item received non-lapsing authority last year there is no requirement for such a request. For FY 2005 the Analyst recommends that no authority be provided until the 2005 Legislative session when the Courts will have a better idea of what balances will be available.

2.9 Other Intent Language

Regarding Private Provider COLAs (please see section 3.1.4).

It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst shall prepare a report detailing the number, amount and cost of private contractor COLAs. It is anticipated that the report will offer solutions for providing fair compensation to private and local government contractors in a way that accounts for increases in costs over time.

Regarding the relationship between Juvenile Courts and the Division of Youth Corrections (please see section 3.1.5):

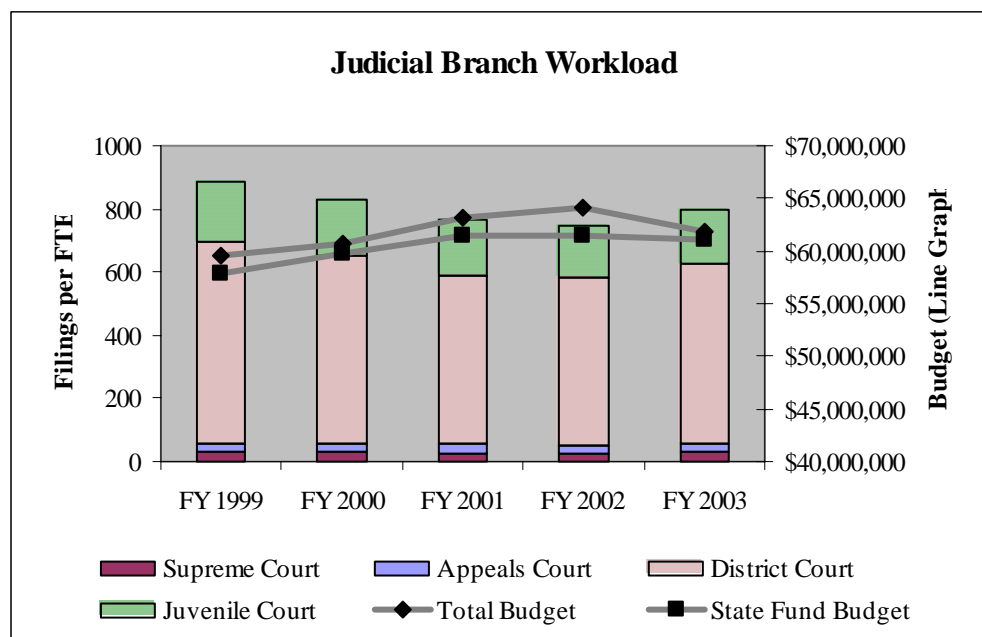
It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst shall examine the structure of juvenile probation and youth corrections to determine if a single system would provide budget savings or flexibility to the state.

2.9 Court Reporter Fund

Last year the Legislature provided \$100,000 from restricted funds to convert court room analog audio recording equipment (i.e., cassette tape recorders) to digital systems. The appropriation allowed the judicial branch to finish replacement of analog systems in the Juvenile Courts. This year the Judicial Branch requests a similar appropriation.

2.10 Performance Measures

Even accounting for budget cuts taken over the past two years, the total budget and state fund appropriation for the Supreme Court, Appeals Courts, District Courts and Juvenile Courts are up by 3.85 percent and 5.54 percent, respectively since 1999.



Source: Utah Division of Finance Data Warehouse, OLFA Meribah Database, GOPB Budget Prep Data.

This table will repeat in each of the four court budgets as a comparison of filings per FTE and to show the five year budget trend. FTE counts are plotted on the left axis and do not include judges. Total budget and state fund budgets are plotted against the right axis.

3.0 Courts – Administration Line Item

The Utah Court system consists of State Courts (Appellate and Trial Courts) and Justice Courts funded and operated by local government under standards established by the Utah Judicial Council. The Judicial Council, through the Administrative Office of the Courts, provides administrative support for the Judicial Branch.

	Analyst FY 2005 Base	Analyst FY 2005 Changes	Analyst FY 2005 Total
Financing			
General Fund	69,594,800		69,594,800
Federal Funds	53,300		53,300
Dedicated Credits Revenue	754,200		754,200
General Fund Restricted	1,949,900		1,949,900
GFR - Court Security Account	2,200,000		2,200,000
GFR - Court Trust Interest	250,000		250,000
GFR - Online Court Assistance	50,000		50,000
Transfers	580,400		580,400
Transfers - Federal	1,551,200		1,551,200
Beginning Nonlapsing	233,000		233,000
Total	\$77,216,800	\$0	\$77,216,800
Programs			
Supreme Court	1,991,500		1,991,500
Law Library	590,800		590,800
Court of Appeals	2,590,400		2,590,400
District Courts	32,834,700		32,834,700
Juvenile Courts	27,501,500		27,501,500
Justice Courts	146,900		146,900
Courts Security	2,200,000		2,200,000
Administrative Office	3,122,200		3,122,200
Judicial Education	335,400		335,400
Data Processing	4,255,400		4,255,400
Grants Program	1,648,000		1,648,000
Total	\$77,216,800	\$0	\$77,216,800
FTE/Other			
Total FTE	1,150		1,150
Vehicles	152	0	152

Performance Measures

The performance of the Courts should be assessed by:

- 1) the work of the individual justices and judges of the state in resolving disputes brought to their courts; and,
- 2) the administrative operations of the Court System.

Individual judicial performance measures focus on administrative, legal and ethical performance. Each measure is overseen by a different entity:

- *Administrative* - Judicial Council and Presiding Judge;
- *Legal* - Appellate Courts;
- *Ethical* - Judicial Conduct Commission.

The performance of the administrative operations of the Court System as a whole is best examined by assessing goals and indicators for components of the system, e.g., the extent to which the number of cases filed in the District Courts in a year compares to the number disposed in the same period or the extent to which caseload impacts employee count.

Revenue

As a supplement to General Fund appropriations the Courts collect fees and fines that are used to operate programs. Even though the Legislature replaced General Fund with court fees, General Fund appropriations grew over one percent annually during the past five years.

Sources of Court Fee Revenue				
	FY 2000	FY 2001	FY 2002	FY 2003
Filing Fees	\$3,943,696	\$4,123,416	\$4,509,226	\$5,921,836
Fines	10,385,485	9,356,038	9,851,703	7,944,294
Higher Ed.	10,748	14,538	23,379	15,993
35% Surcharge	927,390	812,662	811,772	734,413
85% Surcharge	3,973,973	3,917,523	3,523,521	2,756,302
Cap. Projects	3,758,765	3,701,186	3,791,845	3,984,703
Other	3,758,685	3,766,575	3,728,658	4,159,575
Total	\$26,758,742	\$25,691,938	\$26,240,104	\$25,517,116

While the Court System is not intended to serve as a revenue producing entity, court assessed fees, fines, and surcharges do result in the generation of considerable funds. Previous legislative actions have resulted in the application of a portion of such fines, fees, and surcharges being applied in specific areas, creating free revenue for appropriation in other areas of state government.

Judicial Salaries

The Executive and Judicial Compensation Commission was created in 1969 to recommend comprehensive plans for the Executive Offices and Judiciary. The Commission's work is aided by an analysis of judicial salaries prepared by the Citizens' Committee on Judicial Compensation. The salaries for the various judgeships and the State Court Administrator are set relative to the salary of a District Court Judge, which is currently \$103,700.

Nationally, Utah Judges and staff are over ninety percent of both mean and median salaries of their peers. Salary comparisons are often compared to industry averages, but in the case of state judges it is difficult to correct for wide swings in variation. The Analyst focuses on the median salary – the midpoint of the range – in considering the level of appropriate salary. Based on the data shown below, it appears that the discrepancy between Utah salaries and peers grows more as one moves up the ladder of responsibility.

Utah Judicial Salary Comparison						
	Mean	Median	Low	High	Utah	% of Median
Chief, Highest Court	\$128,886	\$125,018	\$90,842	\$185,773	\$116,051	92.8%
Associate Justice, Court of Last Resort	\$124,738	\$121,740	\$89,381	\$170,319	\$114,043	93.7%
Judge, Intermediate Appellate Court	\$121,251	\$116,521	\$91,469	\$159,657	\$108,908	93.5%
Judge, General Jurisdiction Court	\$112,229	\$109,810	\$82,600	\$154,700	\$103,710	94.4%
State Court Administrator	\$111,664	\$107,900	\$82,567	\$175,728	\$104,107	96.5%

Source: National Center for State Courts and OLFA

Utah judicial salaries rank thirty-sixth in real (non-adjusted) salary and twenty-seventh in cost of living adjusted (COLA) salary.¹ However, for intermountain states, Utah ranks third in COLA salary and fourth in real salary for trial court judges.

Intermountain Judicial Salaries		
<i>Trial Court Judges</i>		
	Real Salary	Adjusted Salary
Nevada	\$130,000	\$126,348
Arizona	\$120,750	\$122,908
Utah	\$103,700	\$110,454
Idaho	\$95,718	\$102,649
Colorado	\$104,637	\$102,052
Wyoming	\$100,000	\$99,770
New Mexico	\$88,896	\$87,368
<i>Regional Average</i>	<i>\$106,243</i>	<i>\$107,364</i>

Source: National Center for State Courts

The Executive and Judicial Compensation Commission, for the eighth straight year, recommended² an increase in judicial compensation. The Commission recommends a four percent increase – a system-wide increase of \$594,000.

¹ National Center for State Courts (2003). *Survey of Judicial Salaries*. www.ncsonline.org

² Executive and Judicial Compensation Commission (November 2003). *Recommended Salary and Classification Levels for Executive and Judicial Officials*.

3.1 Main Courts Line Item - Administration

3.1.1 Supreme Court

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
General Fund	1,969,600	1,991,500	1,991,500	
General Fund, One-time		6,500		(6,500)
Beginning Nonlapsing	3,300			
Closing Nonlapsing	(116,900)			
Total	\$1,856,000	\$1,998,000	\$1,991,500	(\$6,500)
Expenditures				
Personal Services	1,776,300	1,912,700	1,906,200	(6,500)
In-State Travel	200	900	900	
Out of State Travel	3,900	2,500	2,500	
Current Expense	68,000	81,900	81,900	
DP Current Expense	7,600			
Total	\$1,856,000	\$1,998,000	\$1,991,500	(\$6,500)
FTE/Other				
Total FTE	27	27	27	0

*Non-state funds as estimated by agency

Purpose

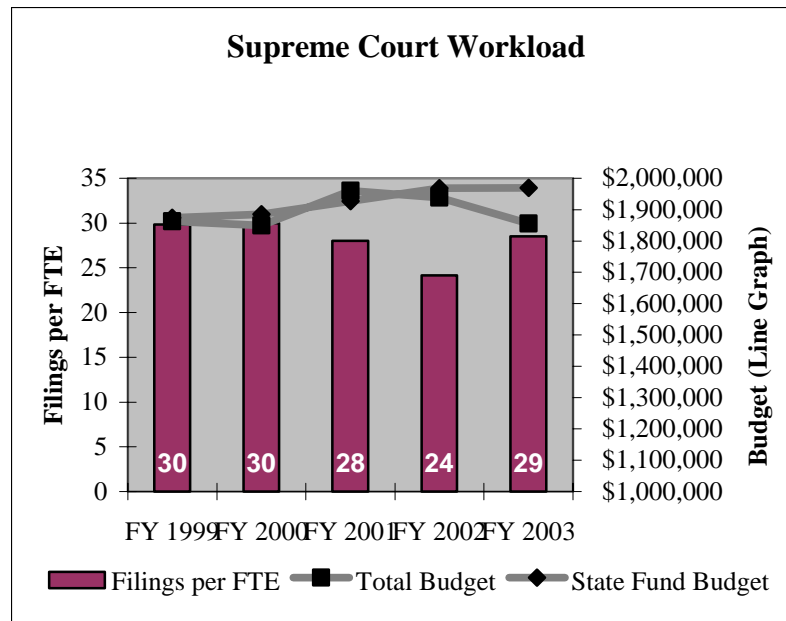
The Utah Constitution (Article VIII, Sections 1 through 4) establishes the Supreme Court as the highest state court and, as such, the court of last resort in Utah. The Court consists of five justices that hear appeals from capital and first degree felony cases and District Court civil cases.

The Governor appoints Justices to serve ten-year renewable terms that are approved by the Utah Senate. Every four years the justices elect a Chief Justice and every two years they elect an Associate Chief Justice.

The Supreme Court holds original jurisdiction to answer questions of state law certified from Federal Courts and to issue extraordinary writs. The Court has appellate jurisdiction to hear first degree and capital felony convictions from the District Court and civil judgments other than domestic cases. It also reviews formal administrative proceedings of the Public Service Commission, Tax Commission, School and Institutional Trust Lands Board of Trustees, Board of Oil, Gas, and Mining, and the State Engineer. The Supreme Court also has jurisdiction over judgments of the Court of Appeals by writ of certiorari, proceedings of the Judicial Conduct Commission, constitutional and election questions.

Performance Measures

The following charts reflect the composition of the Supreme Court workload filings and disposition trends.



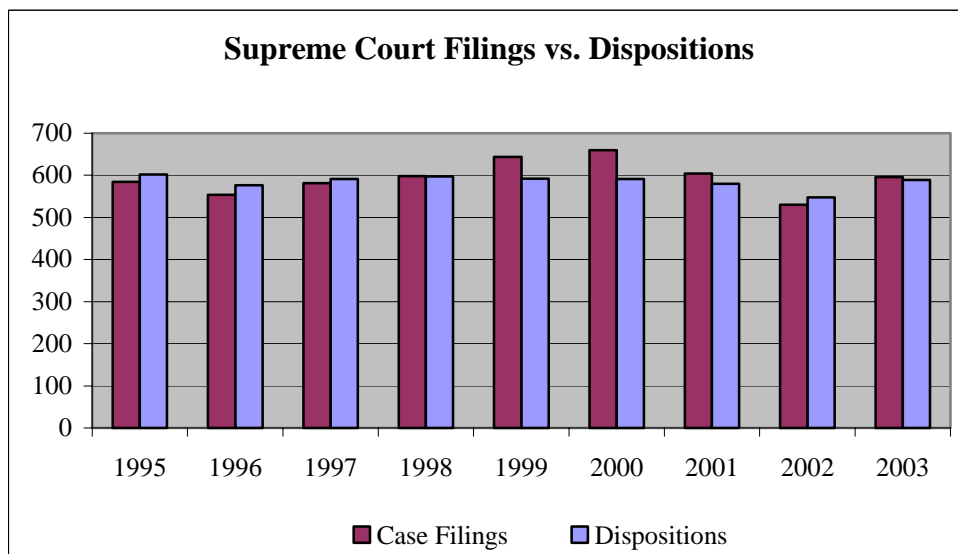
Source: Utah Division of Finance Data Warehouse, OLFA Meribah Database, GOPB Budget Prep Data.

Over the past three years most case types remained stable. The apparent increase in “Bar Matters/Judicial Conduct” come from a new method for categorizing rather than a sudden jump in cases.

Supreme Court Case Distribution			
FY 2001 – FY 2003			
	FY 2001	FY 2002	FY 2003
Administrative Agency	22	10	15
Bar Matters/Judicial Conduct	0	11	19
Capital Felony	1	0	4
Certified from Court of Appeals	2	4	0
Civil Appeals	294	247	294
Criminal Appeals	62	72	66
Extraordinary Writs	25	20	0
Habeas Corpus		0	18
Interlocutory Appeals	62	72	70
Juvenile Appeals	2	0	3
Rule Making	18	14	20
Writ of Certiorari	91	77	84
Other	15	3	3
	594	530	596

Source: Administrative Office of the Courts and OLFA.

Lower courts tend to have stable ratios of filings to dispositions. The Supreme Court ratio seems to vary more due to wide variance in complexity of cases.



Source: Administrative Office of the Courts and OLFA

3.1.2 State Law Library

	2003 Actual	2004 Estimated*	2005 Analyst	Est/Analyst Difference
Financing				
General Fund	460,200	463,600	463,600	
General Fund, One-time		500		(500)
Dedicated Credits Revenue	19,000	25,000	25,000	
Beginning Nonlapsing	80,800	92,200	102,200	10,000
Closing Nonlapsing	(28,600)	(102,200)		102,200
Total	<u>\$531,400</u>	<u>\$479,100</u>	<u>\$590,800</u>	<u>\$111,700</u>
Expenditures				
Personal Services	144,500	148,000	148,000	
In-State Travel		100	100	
Current Expense	386,900	331,000	442,700	111,700
Total	<u>\$531,400</u>	<u>\$479,100</u>	<u>\$590,800</u>	<u>\$111,700</u>
FTE/Other				
Total FTE	4	4	4	0
*Non-state funds as estimated by agency				

Purpose

The State Law Library is a statutorily created entity under UCA ' 9-7-301. The library is located in the Scott M. Matheson Courthouse and is open to the public. The Chief Justice, Legislative General Counsel, and the State Attorney General serve as the Board of Control for the Library.

Library could exist on fees rather than state funds.

As budgets tighten, the Legislature may want to consider alternative funding mechanisms for this program. The Analyst believes that the General Fund in this program could be replaced by charging fees to user agencies including court divisions and the state Attorney General. This would allow the program to continue its statutory mission but would also free up funds for other needs in the state.

3.1.3 Court of Appeals

	2003 Actual	2004 Estimated*	2005 Analyst	Est/Analyst Difference
Financing				
General Fund	2,717,300	2,590,400	2,590,400	
General Fund, One-time		9,000		(9,000)
Beginning Nonlapsing	6,000	157,800		(157,800)
Closing Nonlapsing	(54,500)			
Total	\$2,668,800	\$2,757,200	\$2,590,400	(\$166,800)
Expenditures				
Personal Services	2,560,400	2,631,400	2,468,200	(163,200)
In-State Travel	400	4,600	4,600	
Out of State Travel		7,000	7,000	
Current Expense	100,200	114,200	110,600	(3,600)
DP Current Expense	7,800			
Total	\$2,668,800	\$2,757,200	\$2,590,400	(\$166,800)
FTE/Other				
Total FTE	36	36	34	(2)

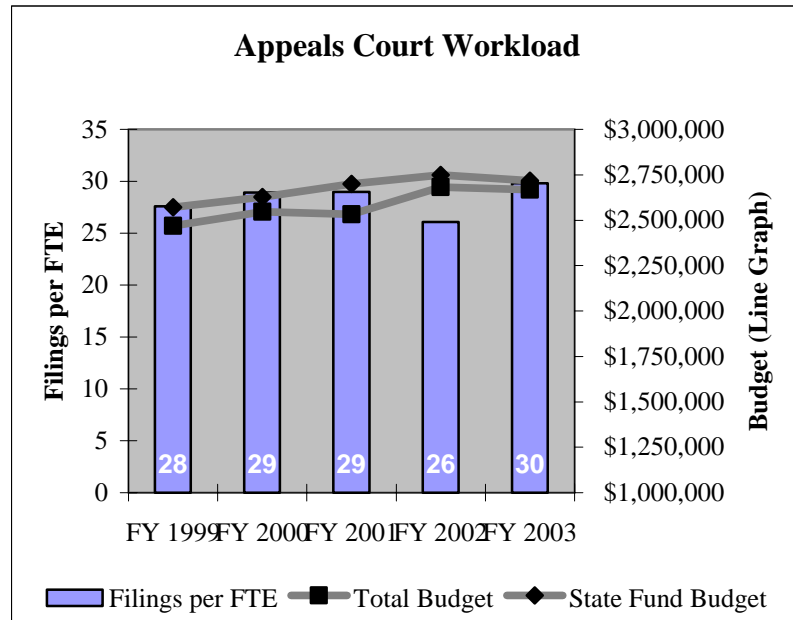
*Non-state funds as estimated by agency

Purpose

The Court of Appeals is created by statute to hear appeals of the Juvenile Court, District Court criminal cases less than a first-degree felony, District Court civil cases involving domestic relations matters, final orders and decrees of most administrative agencies, and cases transferred from the Supreme Court. The courts seven judges sit on rotating three judge panels.

Performance Measures

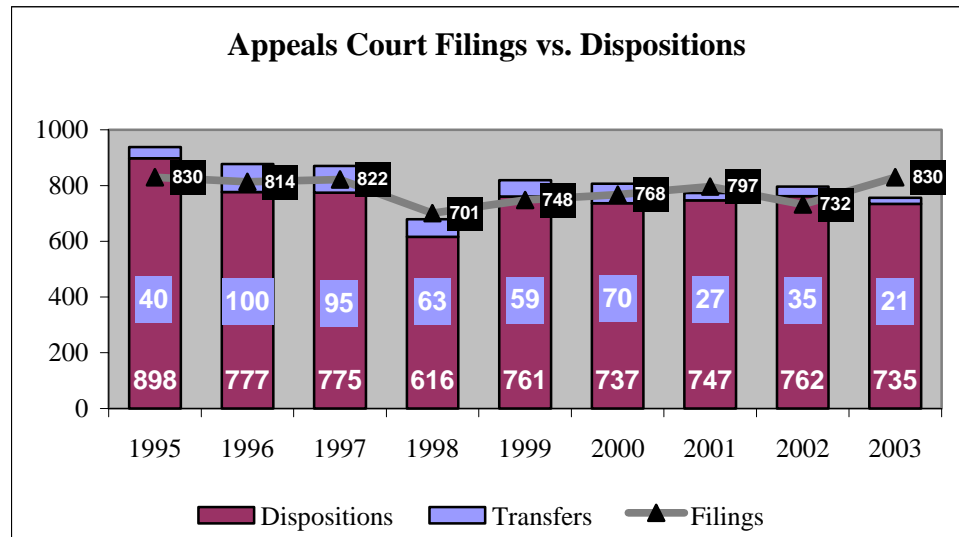
The following charts reflect the composition of the Court of Appeals workload filings, case types and disposition rates.



Source: Utah Division of Finance Data Warehouse, OLFA Meribah Database, GOPB Budget Prep Data.

Appeals Court Case Distribution FY 2001 – FY 2003			
Case Type	FY 2001	FY 2002	FY 2003
Administrative Agency	44	67	74
Civil Appeal	223	247	292
Criminal Appeal	356	280	322
Interlocutory Appeal	39	52	42
Juvenile Appeal/Agency	81	58	61
Juvenile Delinquency	14		13
Misc. Petition	7	3	1
Extraordinary Writs	18	26	25
Post Conviction Relief	12	1	1
Writ of Certiorari	2	1	2
Total Cases Filed	796	735	833

Source: Administrative Office of the Courts and OLFA



Source: Administrative Office of the Courts and OLFA

3.1.4 District Courts

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
General Fund	31,382,500	31,624,500	31,624,500	
General Fund, One-time		102,300		(102,300)
Dedicated Credits Revenue	414,900			
General Fund Restricted	630,400	625,300	629,800	4,500
Transfers	170,500	581,700	580,400	(1,300)
Beginning Nonlapsing	71,100			
Closing Nonlapsing	(613,700)			
Lapsing Balance	(225,000)			
Total	\$31,830,700	\$32,933,800	\$32,834,700	(\$99,100)
Expenditures				
Personal Services	29,425,800	30,652,100	30,688,200	36,100
In-State Travel	113,900	142,400	142,400	
Out of State Travel	5,800	10,500	10,500	
Current Expense	2,157,300	2,128,800	1,993,600	(135,200)
DP Current Expense	91,700			
Capital Outlay	36,200			
Total	\$31,830,700	\$32,933,800	\$32,834,700	(\$99,100)
FTE/Other				
Total FTE	535	535	535	0

*Non-state funds as estimated by agency

Purpose

District Courts are the general jurisdiction trial court for Utah. Each county has at least one District Court location, and there are currently 69 statutorily authorized District Court judgeships. These courts have original jurisdiction in all civil and criminal matters, except those cases set aside for the Justice Courts. All criminal felonies are heard in District Courts, as are domestic (divorce and related) cases. District Courts are administered at the state level and geographically organized into eight districts for day to day management.

District Courts adopt specialized calendars to handle resource intensive cases or cases where collaboration with an outside treatment provider is important. Drug Courts and Domestic Violence Courts are two examples of this approach for which the Legislature appropriated funds to multiple agencies. The formula recently adopted by the Legislature allocates 13 percent of Drug Court funds to the Courts for administration of the case and 87 percent to the Department of Human Services for testing, treatment and case management.

While most of the court locations are fully state funded and staffed, a handful of locations are so small as to be more efficiently run by contracting with the appropriate local government for non-judicial staff. These locations are referred to as contract sites, and the costs of operating these courts are reimbursed by contract with the Administrative Office of the Courts.

Contract Providers

In eleven rural locations throughout the state, clerk of court functions are performed under contract with the county. These are county seat locations where court must be held by statute, but where the volume of work is relatively low. In these locations the County Clerks=Office also serves as the clerk of court office, because the work can be performed more economically by contracting with the county, rather than operating a state office.

The Courts contract with a several counties to provide clerks in a number of courthouses. These are primarily at leased facilities. No provision is made to provide a cost of living adjustment to these employees. Statute requires the Legislature to consider (but does not mandate) salary adjustments for private contract providers. Traditionally the Legislature considers providing salary adjustments similar to the state compensation package for county employees and for other contract employees Human Services and other State Agencies. A one percent adjustment to the courts contracts is approximately \$50,000.

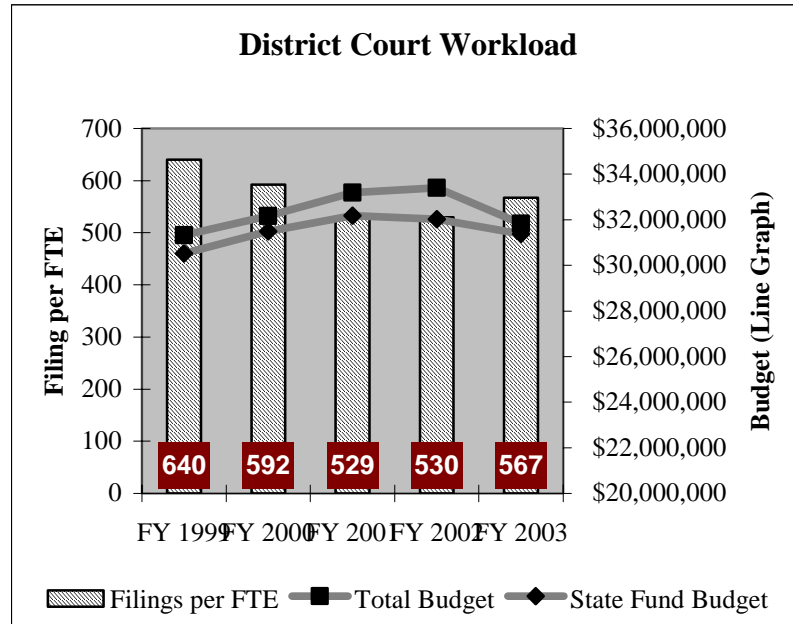
*Contract COLA
policy should be
examined*

The Analyst believes that the practice of providing COLAs for contract providers should be reviewed during the interim. Contractors should build salary increases into agreements with state agencies. Failure to do so provides an inexact cost to the state that may hamper the Legislature's ability to set funding priorities.

*It is the intent of the Legislature that the Office of the
Legislative Fiscal Analyst shall prepare a report detailing the
number, amount and cost of private contractor COLAs. It is
anticipated that the report will offer solutions for providing
fair compensation to private and local government contractors
in a way that accounts for increases in costs over time.*

Performance Measures

District Court state funds in FY 2003 exceeded 1999 levels by 2.83 percent.

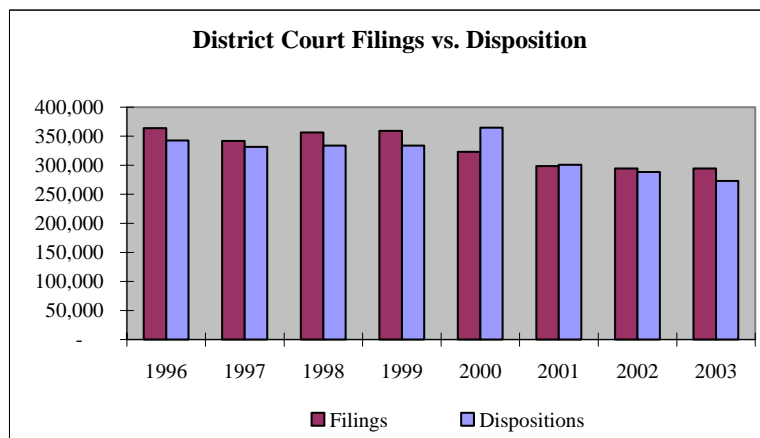


Source: Utah Division of Finance Data Warehouse, OLFA Meribah Database, GOPB Budget Prep Data.

Court filings have dropped by approximately ten percent in FY 2003..

District Court Case Filing Count			
Total of all Judicial Districts			
Case Type	FY 2001	FY 2002	FY 2003
Criminal	60,366	54,317	43,306
Domestic	21,025	21,167	21,469
General Civil	79,972	78,866	83,789
Parking	2,866	2,983	1,862
Probate	7,326	7,676	7,731
Property Rights	8,780	8,753	9,134
Small Claims	44,491	43,459	19,574
Torts	2,202	2,165	2,493
Traffic	71,430	74,829	74,671
Category NA	148	337	159
Total	298,606	294,552	264,188

Source: Administrative Office of the Courts and OLFA



Source: Administrative Office of the Courts and OLFA

3.1.5 Juvenile Courts

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
General Fund	25,064,500	25,364,900	25,364,900	
General Fund, One-time		77,800		(77,800)
Dedicated Credits Revenue	491,500	607,400	685,700	78,300
General Fund Restricted	1,416,100	1,234,300	1,320,100	85,800
Beginning Nonlapsing	364,200	224,200	130,800	(93,400)
Closing Nonlapsing	(1,719,600)	(130,800)		130,800
Lapsing Balance	(181,900)			
Total	\$25,434,800	\$27,377,800	\$27,501,500	\$123,700
Expenditures				
Personal Services	22,249,800	23,914,300	23,914,300	
In-State Travel	49,900	85,400	85,400	
Out of State Travel	39,000	74,700	74,700	
Current Expense	2,954,100	3,303,400	3,427,100	123,700
DP Current Expense	134,100			
Capital Outlay	7,900			
Total	\$25,434,800	\$27,377,800	\$27,501,500	\$123,700
FTE/Other				
Total FTE	463	463	464	1

*Non-state funds as estimated by agency

Purpose

The Juvenile Court is a court of record of equal status with the District Court that has jurisdiction over delinquency and dependency matters for youth referred to the court who are under the age of 18. The court has limited jurisdiction over adults who are charged with contributing to the delinquency of a minor.

The purpose of the court, as outlined in UCA ' 78-3a-102 is to:

1. Promote public safety and accountability by imposing appropriate sanctions
2. Promote guidance and control of a minor, preferably in their own home
3. Order rehabilitation or treatment for youth who come before the court
4. Control and order placement of those youth who are beyond parental or adult control
5. Adjudicate matters that relate to abused, neglected or dependent children
6. Remove a minor from parental custody only when the minor's safety or welfare, or the public safety, can not be safeguarded and
7. Act in the best interest of the minor and preserve and strengthen family ties where possible.

Twenty- six judges are organized into eight districts.

Probation, the service arm of the Juvenile Court in delinquency matters, is organized into two functional areas:

1. **Intake** - a preliminary inquiry to determine how a matter should be handled. The probation officer has the authority to handle minor offenses by making a non-judicial adjustment of the case. This can involve such consequences as requiring community service, paying restitution to the victim, or being referred to short term counseling.

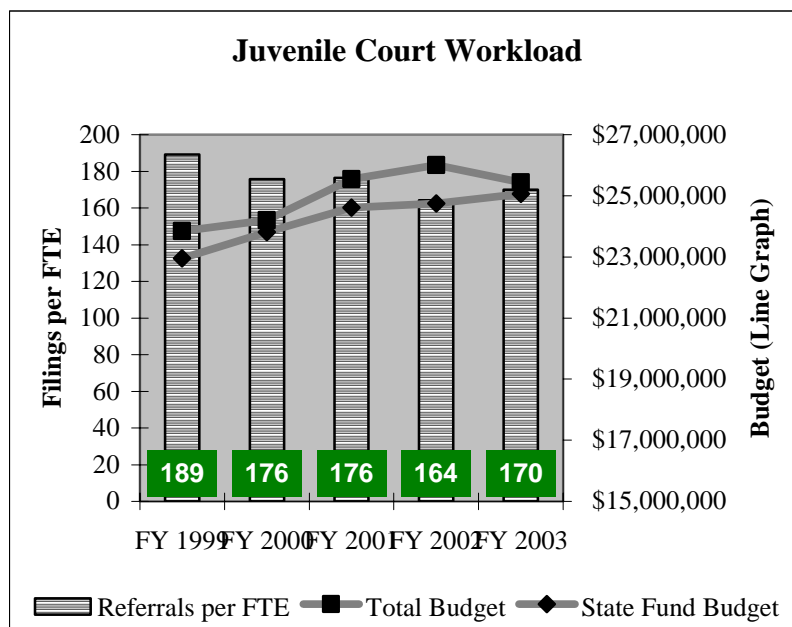
If the matter is more serious, a petition is filed with the court, and an appearance before a judge is required. Very serious matters can be referred directly to the District Court.

2. **Probation** - the supervision of a youth ordered to that status. Generally, when a youth is under probation status, they continue to live in the home. Supervision includes monitoring daily activities, school performance, and assuring compliance with orders of the court. Conditions of probation can include individual and family counseling, participation in parenting classes, drug testing, extra tutoring in school matters, substance treatment, community service and restitution repayment.

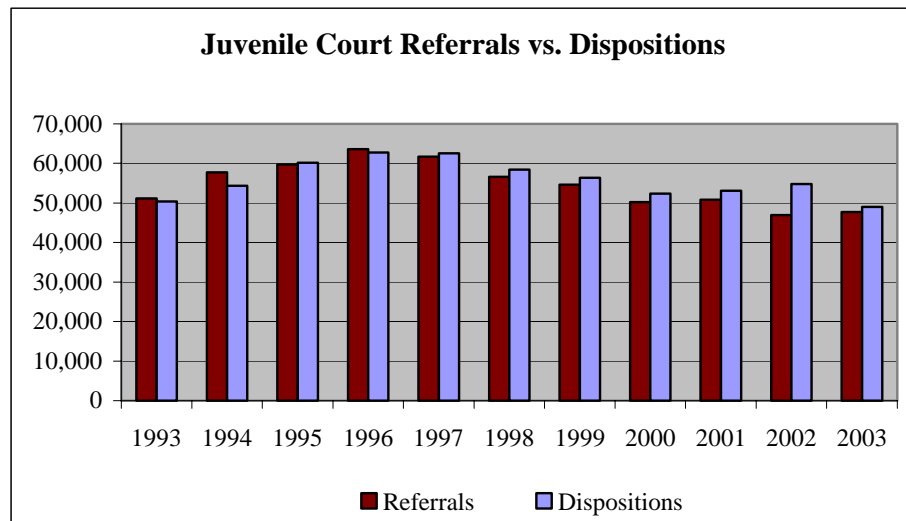
Staff to complete the duties of the court includes clerks, deputy probation officers and probation officers.

Performance Measures

The Juvenile Court budget increased by more than nine percent over the past five years while caseload declined slightly.



Source: Utah Division of Finance Data Warehouse, OLFA Meribah Database, GOPB Budget Prep Data.



Source: Administrative Office of the Courts and OLFA

Change in Juvenile Court Referrals			
Change From FY 2001 - 2003			
Category	FY 2001	FY 2002	FY 2003
Felony	4,219	4,029	3,525
Misdemeanor	30,220	28,105	28,558
Infraction	1,947	1,726	2,201
Juvenile Status	8,500	7,069	6,888
Traffic	1,394	1,216	1,319
Adult Offenses	870	1,510	1,614
Dependency/Neglect/Abuse	3,645	3,488	3,621
Total	50,795	47,143	47,726

Source: Administrative Office of the Courts and OLFA

The Juvenile Court partners with the Child Welfare and Victim Offender Mediation program. Not only has this program been cost effective in saving valuable judicial time but mediation records productive outcomes in 88 percent of cases that reach referral.³ In calculating “resolution” the program deducts cases where mediation is ordered but were mediation is not initiated.⁴

Child Welfare Mediation					
<i>District</i>	<i>Cases Referred</i>	<i>% of all cases</i>	<i>Cases Resolved</i>	<i>% of all Referrals Resolved</i>	<i>Mediation Resolution %</i>
First	70	41%	47	67%	81%
Second	289	28%	172	60%	72%
Third	170	13%	86	51%	62%
Fourth	193	34%	112	58%	69%
Fifth	27	15%	16	59%	76%
Sixth	12	21%	9	75%	90%
Seventh	74	35%	54	73%	89%
Eighth	7	5%	3	43%	60%
	842		499	59%	72%

Source: Administrative Office of the Courts and OLFA

³ “Productive” means resolution on a related issue, on one or more issues, or resolution of the case.

⁴ 22.6% of cases are assigned but not mediated due to factors such as prior settlement, refusal to attend by one party or other factors.

*Probation/Supervision
Administration Study
Recommended*

There are two kinds of Drug Courts operating in Juvenile Court; **Dependency Drug Courts and Delinquency Drug Courts**. These courts provide great promise to break the cycle of drug abuse with parents of children and delinquent youth referred to the Juvenile Court on drug charges.

Recent implementation of the Juvenile Sentencing Guidelines enabled the Juvenile Courts to expand its services with a program called **State Supervision**. The State Supervision program provides “intensive supervision” for youth that may not respond to probation but do not require incarceration. Budget reductions taken in the Juvenile Courts budget resulted in the loss of \$490,000 for personnel and \$150,000 for contracts to serve youth in the program. The Juvenile Court request for restoration of the cuts asks for only a partial restoration in deference to current budget conditions.

A 1999 Legislative Audit found that communication between the Courts and the Division of Youth Corrections needed improvement. In response, administrators in the Juvenile Probation and State Supervision programs work with the Division of Youth Corrections to oversee supervision. An informal review by the Legislative Auditor General found that current cooperation improved services and met Legislative goals.

However, there may still be room for improvement that can be provided only through a more unified structure. Although patterns vary from state to state, probation seems to be an executive branch function. Under the current system the Division of Youth Corrections receives limited options for treatment other than incarceration. On the other hand, the State Supervision program is a more expensive alternative to probation. If the Supervision program is full there may be a budget incentive to send offenders to DYC facilities.

The Analyst believes that cooperation between the Youth Corrections and Juvenile Court Probation programs affords the state with a sound system for dealing with youth offenders. However, as state revenue remains flat the Legislature may want to examine alternative ways for providing services that will afford more flexibility in budgeting. As part of the 2004 Interim, the Analyst recommends adoption of the following intent language so that the Executive Offices and Criminal Justice Appropriation Committee examine the issue further.

It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst shall examine the structure of juvenile probation and youth corrections to determine if a single system would provide budget savings or flexibility to the state.

3.1.6 Justice Courts

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
General Fund	151,300	146,900	146,900	
General Fund, One-time		300		(300)
Closing Nonlapsing	(14,500)			
Total	\$136,800	\$147,200	\$146,900	(\$300)
Expenditures				
Personal Services	96,000	97,900	97,900	
In-State Travel	11,600	10,000	10,000	
Current Expense	29,200	39,300	39,000	(300)
Total	\$136,800	\$147,200	\$146,900	(\$300)
FTE/Other				
Total FTE	1	1	1	0

*Non-state funds as estimated by agency

Purpose

There are 120 judges serving 139 Justice Court locations throughout Utah. Justice Court Judges are locally selected, then trained at the Administrative Office of the Courts, and certified to hold office by the Judicial Council. The jurisdiction of both County and Municipal Justice Courts is over small claims cases, class B and C misdemeanors, infractions and local ordinances. Their caseload is made up mostly by traffic cases, but some courts also handle a high percentage of more typical criminal offenses.

While Justice Courts are locally funded and operated, the state has some administrative responsibility for them as part of the Utah judiciary, and this has primarily manifested itself in education, operational standards oversight, and, recently, audit functions.

The state sponsors at least 30 hours per year of continuing judicial education for Justice Court Judges, including a mandatory annual spring training conference. Twenty (20) hours of training is provided annually for Justice Court clerks. The Judicial Council also promulgates operational standards and requirements, in addition to those requirements that are statutory, and the Council certifies the courts every four years for compliance with those standards.

In 2000, the Legislature instituted an audit role for the state in the Justice Courts. One FTE auditor was added to the Administrative Office of the Courts to perform internal audits of the programmatic and fiscal operations of the Justice Courts. The results of these audits are shared with the local governmental entities, and with the other court clerks and judges at their annual conferences.

Background

Justice Courts are established by counties and municipalities and have the authority to deal with class B and C misdemeanors, violations of ordinances, small claims, and infractions committed within their territorial jurisdiction. Justice Court jurisdictions are determined by the boundaries of local government entities such as cities or counties, which hire the judges.

There are two types of Justice Court judges: county judges who are initially appointed by a county commission and then stand for retention election every four years, and municipal judges who are appointed by city officials for a 4-year term. Some are both county and municipal judges. Some judges hear cases daily, and others have limited court hours each week. Justice Court judges need not be attorneys, although they receive extensive and continuing legal training. All Justice Court judges must attend 30 hours of continuing judicial education each year to remain certified. One hundred twenty-eight Justice Court judges serve in 147 county and municipal courts.

The Justice Court shares jurisdiction with the Juvenile Court over sixteen and seventeen year old minors who are charged with certain traffic offenses. The Juvenile court handles automobile homicide, alcohol or drug related traffic offenses, reckless driving, fleeing an officer, and driving on a suspended license.

Four person juries hear jury trials in the Justice Courts. City attorneys prosecute cases involving municipal ordinance violations and state law in municipal courts; county attorneys prosecute cases involving violations of county ordinances and state law in the county courts. Litigants and defendants often act without an attorney (*pro se*) in Justice Courts.

Any person not satisfied with a judgment rendered in a Justice Court is entitled to a trial *de novo* (new trial) in the District Court. Any Justice Court judge may be appointed by the presiding District judge to conduct preliminary examinations and arraignments for felony cases under some circumstances. Justice Courts may also have a Small Claims Department, which has jurisdiction over claims under \$5,000.

3.1.7 Court Security

	2003	2004	2005	Est/Analyst
	Actual	Estimated*	Analyst	Difference
Financing				
GFR - Court Security Account	550,000	2,200,000	2,200,000	
Closing Nonlapsing	2,297,400			
Lapsing Balance	(550,000)			
Total	<u>\$2,297,400</u>	<u>\$2,200,000</u>	<u>\$2,200,000</u>	<u>\$0</u>
Expenditures				
Current Expense	2,297,400	2,200,000	2,200,000	
Total	<u>\$2,297,400</u>	<u>\$2,200,000</u>	<u>\$2,200,000</u>	<u>\$0</u>
FTE/Other				
*Non-state funds as estimated by agency				

Purpose

Rule 3-414 of Rules of Judicial Administration requires that the State contracts with local government entities to provide bailiff and security services to the courts.

Evaluate Security Contracts

The Analyst recommends that the Court Administrator evaluate current court security contracts at the various locations throughout the State. The level of security seems to vary significantly between facilities. It is true that the level of activity also varies and must be taken into consideration. Shifts within and between districts may be able to improve security overall without a need for an increase in funding and without sacrificing security at major sites. With statutory changes and a few rule changes, there may be some aspects of court security that could be privatized.

Court Bailiff Security Fee

Prior to FY 2004 Bailiff services were funded with a general fund appropriation of \$2.2 million. With appropriated funds, the Administrative Office of the Courts enters into individual contracts on an annual basis with county sheriffs. The amount of the contract is limited to the amount appropriated; therefore, the funding of bailiff services is akin to a specific pass through to county government.

Legislation passed in the 2003 General Session instituted a new security fee in civil cases and increased criminal fines to provide funds for bailiff services.

3.1.8 Administrative Office of the Courts

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
General Fund	3,319,100	2,872,100	2,872,200	100
General Fund, One-time		8,300		(8,300)
GFR - Court Trust Interest	250,100	250,000	250,000	
Transfers - Other Funds	2,000			
Beginning Nonlapsing	887,600	581,800		(581,800)
Closing Nonlapsing	(1,038,300)			
Lapsing Balance	(550,000)			
Total	\$2,870,500	\$3,712,200	\$3,122,200	(\$590,000)
Expenditures				
Personal Services	2,181,700	2,830,400	2,268,600	(561,800)
In-State Travel	33,900	47,600	47,600	
Out of State Travel	5,700	30,000	30,000	
Current Expense	642,700	704,200	676,000	(28,200)
DP Current Expense	6,500			
Other Charges/Pass Thru		100,000	100,000	
Total	\$2,870,500	\$3,712,200	\$3,122,200	(\$590,000)
FTE/Other				
Total FTE	36	36	36	(0)

*Non-state funds as estimated by agency

Purpose

The Administrative Office of the Courts (AOC) provides all support functions for the Judicial Branch under the policy direction of the Utah Judicial Council. The AOC includes all those subsidiary and support functions required to operate a corporate entity with a budget of almost \$100 million. As a separate branch of state government the courts operate under the direction of the constitutionally established Judicial Council. Under the Council's direction the State Court Administrator manages and directs the work of approximately 1,100 non-judicial staff and court and juvenile probation operations statewide.

The Administrative Office of the Courts has broad statutory authority, powers, duties, and responsibilities. The AOC is directly responsible to the Judicial Council for the efficient and effective operation of the courts administrative functions, service delivery, program management, judicial and staff education, automation systems, and Appellate and Trial Court administration. As an official representative of the Courts, the State Court Administrator attends and actively participates in a variety of intergovernmental activities including the Utah Commission on Criminal and Juvenile Justice, Utah Tomorrow, FACT Council, and the Utah Information Technology Commission.

3.1.9 Judicial Education

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
General Fund	325,800	335,400	335,400	
General Fund, One-time		800		(800)
Beginning Nonlapsing	9,000			
Closing Nonlapsing	(62,900)			
Total	\$271,900	\$336,200	\$335,400	(\$800)
Expenditures				
Personal Services	218,100	251,300	251,300	
In-State Travel	2,600			
Out of State Travel	400			
Current Expense	38,600	84,900	84,100	(800)
DP Current Expense	12,200			
Total	\$271,900	\$336,200	\$335,400	(\$800)
FTE/Other				
Total FTE	3	4	4	0

*Non-state funds as estimated by agency

Purpose

By statute, under Section 78-3024(1)(1), the State Court Administrator is charged with the responsibility of providing education and training opportunities to judicial and non-judicial personnel of the court system. The continuing education program functions under the management of the State Court Administrator's Office.

The Judicial Council established Rule 3-403 covering Judicial Education. This rule requires 30 hours of in-service training for Judges and Commissioners, and 20 hours of training for other staff members. Education staff are responsible for training over 1,100 court personnel.

Alternative Funding could provide flexibility

As with the Court Law Library, the Education program provides services to all areas of the Courts. As the Legislature looks for increased flexibility and alternative funding sources, it may be possible to fund this program by having user agencies pay a proportional share of the cost. Court divisions would share in the costs based on utilization – in this case utilization would be closely tied to FTE count. The program would continue with funding from Dedicated Credits rather than General Fund, freeing up General Fund for other needs.

3.1.10 – Information Technology

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
General Fund	3,989,000	4,205,500	4,205,400	(100)
General Fund, One-time		7,500		(7,500)
Dedicated Credits Revenue	400			
GFR - Court Reporter Technology		100,000		(100,000)
GFR - Online Court Assistance	35,000	35,000	50,000	15,000
Transfers - Other Funds	37,700			
Beginning Nonlapsing	13,900			
Closing Nonlapsing	247,100			
Total	\$4,288,100	\$4,348,000	\$4,255,400	(\$92,600)
Expenditures				
Personal Services	2,219,000	2,449,700	2,449,700	
In-State Travel	4,400	15,300	15,300	
Out of State Travel	900	12,000	12,000	
Current Expense	548,400	658,000	634,800	(23,200)
DP Current Expense	1,371,100	1,028,000	958,600	(69,400)
DP Capital Outlay		50,000	50,000	
Capital Outlay	144,300	135,000	135,000	
Total	\$4,288,100	\$4,348,000	\$4,255,400	(\$92,600)
FTE/Other				
Total FTE	36	36	36	0

*Non-state funds as estimated by agency

Purpose

The Courts maintain and operate statewide, uniform automated systems necessary for processing cases and maintaining official records for the Appellate Courts, District Court, and Juvenile Court. These systems contain approximately five million records. In addition to the 1,200 internal court system users, there are approximately 640 external entities also dependent on timely access to accurate court records, accounting for thousands of individual users.

In addition to the three primary case management systems for the Appellate and Trial Courts, Information Technology also supports an electronic data warehouse, courtroom audio and video recording systems, Internet applications such as the On line Court Assistance Program for self-represented litigants, and a court web page (<http://courtlink.utcourts.gov>), records imaging, and an Interactive Voice Response System for self service case status checks and fine payment. A major re-write of the juvenile justice information system, which serves the Juvenile Court, juvenile probation, and the Division of Youth Corrections, is underway with federal grant funding.

3.2.11 Federal Grants

	2003 Actual	2004 Estimated*	2005 Analyst	Est/Analyst Difference
Financing				
General Fund	50,000			
Federal Funds	53,400	52,700	53,300	600
Dedicated Credits Revenue	61,700	33,400	43,500	10,100
Transfers - Federal	1,478,700	1,523,400	1,551,200	27,800
Beginning Nonlapsing		44,400		(44,400)
Closing Nonlapsing	4,500			
Total	\$1,648,300	\$1,653,900	\$1,648,000	(\$5,900)
Expenditures				
Personal Services	415,900	421,200	421,200	
In-State Travel	9,200	8,700	8,700	
Out of State Travel	15,900	14,900	14,900	
Current Expense	190,500	187,200	181,300	(5,900)
DP Current Expense	922,900	928,200	928,200	
Capital Outlay	93,900	93,700	93,700	
Total	\$1,648,300	\$1,653,900	\$1,648,000	(\$5,900)
FTE/Other				
Total FTE	7	9	9	0

*Non-state funds as estimated by agency

Purpose

This budget is designed to identify and monitor any federal grants used by the courts. In the past, many of these grants have been related to specific programs or projects undertaken by the courts with federal assistance.

3.2.12 Contracts and Leases

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
General Fund	14,018,800	14,737,600	14,737,600	
General Fund, One-time		1,100		(1,100)
Dedicated Credits Revenue	187,700	199,600	199,600	
GFR - State Court Complex	4,122,200	4,122,200	4,122,200	
Beginning Nonlapsing	263,400	288,100		(288,100)
Closing Nonlapsing	(288,100)			
Total	\$18,304,000	\$19,348,600	\$19,059,400	(\$289,200)
Expenditures				
Personal Services	274,100	313,100	313,100	
In-State Travel	14,000	3,400	3,400	
Out of State Travel		1,000	1,000	
Current Expense	17,202,400	18,728,600	18,439,400	(289,200)
DP Current Expense	25,000			
Capital Outlay	280,000			
Other Charges/Pass Thru	508,500	302,500	302,500	
Total	\$18,304,000	\$19,348,600	\$19,059,400	(\$289,200)
FTE/Other				
Total FTE	7	8	8	0

*Non-state funds as estimated by agency

Purpose

This budget appears as a separate line item in the court's budget. Expenses included under contracts and leases include such items as:

- ▶ rent/lease payments
- ▶ janitorial services
- ▶ utilities costs
- ▶ perimeter/building security
- ▶ county contract sites

Lease and O&M expenses are generally established prior to the Governor's Office and the Legislature authorizing the building of a new facility, or the approval of a new or expanded lease. The Appropriations Subcommittee on Capital Facilities recommends funds construction of new facilities and provides advance notice to the Appropriations Subcommittee for Executive Offices and Criminal Justice. This recommendation carries the acknowledgment that future lease and O&M payments are the responsibility of the agency but that the Legislature will hear requests for state funding through the EOJC Appropriations Subcommittee.

A listing of leased facilities has been attached as an addendum to this document.

Security

Security for the Courts is provided by local sheriffs throughout the state. State law indicates that the sheriff is to provide bailiff (in-court) security and perimeter security for the District Courts and that the state will reimburse the counties their actual personnel costs. Contracts are initiated each year for those services.

There is a separate statute for the Juvenile Court (UCA ' 17-22-2) which states that the local sheriff will provide court security. There is nothing in that provision for reimbursement for those services to the counties. Funding for the District Courts has not been adequate to fully fund or reimburse the expenses for security services. The sheriffs are also frustrated that reimbursement is not provided for the state Juvenile Courts.

*Lease and Contract
Needs*

The Legislature funded construction of several courts, including Matheson Third District Court Facility, through revenue bonds based on increased fee collection. Over the years funds exceeded needs, especially in Fund 106, Matheson Court Fees. Excess funds were often used to offset construction costs or other one time needs. However, as the budget situation tightened the Legislature moved \$600,000 from Fund 106 into ongoing programs. If left unchecked, this will create a deficit in the debt service program beginning in FY 2006.

This year the AOC seeks restoration of \$300,000 of the transfer followed by \$300,000 next year. Failure to restore the funds will not create a deficit in FY 2005 but will create a \$900,000 shortfall in the FY 2006 budget.

Additionally the AOC will see other lease costs increase by \$171,000 in FY 2005 that must be funded. AOC requests new funds for the leases, but the money could also come from internal savings in other areas of the Courts. Currently the Leases and Contracts budget is a separate line item. A cut in another program or inclusion of the line item as a program could allow the Judicial Council to handle increases internally.

3.3 Grand Jury

	2003 Actual	2004 Estimated*	2005 Analyst	Est/Analyst Difference
Financing				
General Fund	800	800	800	
Closing Nonlapsing	(800)			
Total	<u>\$0</u>	<u>\$800</u>	<u>\$800</u>	<u>\$0</u>
Expenditures				
Current Expense		800	800	
Total	<u>\$0</u>	<u>\$800</u>	<u>\$800</u>	<u>\$0</u>
FTE/Other				
*Non-state funds as estimated by agency				

Purpose

The 1990 Legislature enacted the Grand Jury Reform Act that effectively created a separate budget item for this purpose. The budget exists as a vehicle to pay Grand Jury expenses if one is called. At the same time the act called for a Grand Jury Prosecution budget. These have been combined for presentation on a year-to-year basis.

3.4 Jury, Witness, and Interpreter

	2003	2004	2005	Est/Analyst
	Actual	Estimated*	Analyst	Difference
Financing				
General Fund	1,525,200	1,525,200	1,525,200	
Dedicated Credits Revenue	7,200	5,000	5,000	
Beginning Nonlapsing	(373,600)	(559,300)	(759,100)	(199,800)
Closing Nonlapsing	559,300	759,100	958,900	199,800
Total	\$1,718,100	\$1,730,000	\$1,730,000	\$0
Expenditures				
In-State Travel	22,400			
Out of State Travel	17,000			
Current Expense	185,700	5,000	5,000	
Other Charges/Pass Thru	1,493,000	1,725,000	1,725,000	
Total	\$1,718,100	\$1,730,000	\$1,730,000	\$0
FTE/Other				

*Non-state funds as estimated by agency

Purpose

Under UCA ' 21-5-1.5 the state is responsible for the payment of the costs of jurors and witnesses called by the Courts, and interpreter expenses. This line item had been in deficit for successive years, until the 2000 Legislature appropriated additional funds for the base budget beginning in FY 2001. Unaddressed was the need for supplemental funding for FY 1999 and 2000. Under UCA ' 21-5-1.5, such shortfalls are referred to the Board of Examiners to be certified as a claim against the state. These shortfall requests are contained in the Courts= supplemental request.

The Board of Examiners met in November and approved the request for additional funding to pay off the deficit. In response, the Executive Appropriation Committee approved a transfer of \$559,300 of FY 2003 Surplus to cover the existing deficit. The Courts estimates an additional need of \$150,000 in the current year and an additional \$150,000 ongoing in FY 2005. At this point, the Analyst believes that the program should continue as originally appropriated and that the Courts should return next year for a supplemental should funds fall short.

JW&I costs could be lowered with local participation

The Jury, Witness and Interpreter program pays police officers and other government officials' mileage and per diem for testimony that is part of their regular duty. Since the officials are on duty these payments are turned over to the local governmental entity to offset the cost of the witnesses' time. These funds are not tracked by the courts and likely constitute a small portion of the total budget, but the Analyst believes that local government employees called to testify as part of their duties should not be reimbursed as are other witnesses. Operation of a law enforcement entity includes providing officials for witnesses at trials. By forgoing this remittance, the program will be able to operate more efficiently with smaller deficits, freeing up money for other areas of state government.

3.5 Guardian Ad Litem

	2003	2004	2005	Est/Analyst
	Actual	Estimated*	Analyst	Difference
Financing				
General Fund	2,844,900	2,977,500	2,977,500	
General Fund, One-time		9,600		(9,600)
Dedicated Credits Revenue	2,800	20,000	20,000	
GFR - Children's Legal Defense	662,500	720,200	720,800	600
Beginning Nonlapsing	129,700	30,800		(30,800)
Closing Nonlapsing	(30,600)			
Total	\$3,609,300	\$3,758,100	\$3,718,300	(\$39,800)
Expenditures				
Personal Services	3,251,900	3,308,200	3,308,200	
In-State Travel	49,400	43,500	43,500	
Out of State Travel	1,000	6,500	6,500	
Current Expense	300,600	399,900	360,100	(39,800)
DP Current Expense	6,400			
Total	\$3,609,300	\$3,758,100	\$3,718,300	(\$39,800)
FTE/Other				
Total FTE	54	54	54	0

*Non-state funds as estimated by agency

Purpose

The *Guardian ad Litem* program is a separate line item within the Courts= budget. The program provides state funded attorneys to directly represent the best interests of minors, either when there is an allegation of abuse, neglect or dependency in the Juvenile Court, or when there are allegations of abuse that arise in the District Court during a divorce proceeding or criminal cases where the victim is a child. There are *Guardian ad Litem* offices in all eight districts. The office includes a Court Appointed Special Advocate system (CASA), using trained volunteers to assist attorneys in fact-finding.

CASA is primarily a volunteer program to assist the *Guardian ad Litem* Office by gathering relevant information about the child and family involved in court litigation. Funding for CASA is generated through the special "Invest in Children" license plate. CASA coordinators recruit, train and retain volunteers in their district. They manage the monthly reporting and serve as a link between the volunteer and the *Guardian ad Litem*.

Performance Measures

A large portion of the work done by the *Guardian ad Litem* Office is done by volunteers through the CASA Program.

CASA Volunteers		
Activity	2002	2003
New Children Served	296	298
CASA Volunteers Trained	215	140
Number of Volunteer Hours	10,019	11,021

4.0 Additional Information: Courts**4.1 Funding History**

	2001	2002	2003	2004	2005
Financing	Actual	Actual	Actual	Estimated*	Analyst
General Fund	90,483,200	91,389,100	87,819,000	88,835,900	88,835,900
General Fund, One-time				223,700	
General Fund Restricted	6,327,900	6,915,300	7,666,300	9,287,000	9,292,900
Federal Funds		97,300	53,400	52,700	53,300
Dedicated Credits	1,094,600	1,028,600	1,185,200	890,400	978,800
Transfers	2,519,400	1,848,900	1,688,900	2,105,100	2,131,600
Beginning Balance	(186,800)	1,112,300	1,455,400	860,800	(525,300)
Closing Balance	(1,172,000)	(1,455,400)	(860,200)	525,300	958,100
Lapsing Balance	(443,900)	(367,200)	(1,541,900)		
Total	\$98,622,400	\$100,568,900	\$97,466,100	\$102,780,900	\$101,725,300
Programs					
Administration	76,806,800	76,725,000	73,834,700	77,943,400	77,216,800
Grand Jury	900	800		800	800
Contracts and Leases	16,992,900	18,568,200	18,304,000	19,348,600	19,059,400
Jury and Witness Fees	1,784,400	1,687,300	1,718,100	1,730,000	1,730,000
Guardian ad Litem	3,037,400	3,587,600	3,609,300	3,758,100	3,718,300
Total	\$98,622,400	\$100,568,900	\$97,466,100	\$102,780,900	\$101,725,300
Expenditures					
Personal Services	64,875,900	66,694,600	64,813,500	68,930,300	68,234,900
In-State Travel	381,400	339,200	311,900	361,900	361,900
Out of State Travel	189,300	183,200	89,600	159,100	159,100
Current Expense	26,637,600	27,955,200	27,102,000	28,967,200	28,676,400
DP Current Expense	3,061,300	2,309,800	2,585,300	1,956,200	1,886,800
DP Capital Outlay	582,800	162,800		50,000	50,000
Capital Outlay	972,100	964,600	562,300	228,700	228,700
Other Charges/Pass Thru	1,923,000	1,959,500	2,001,500	2,127,500	2,127,500
Trust & Agency Disbursements	(1,000)				
Total	\$98,622,400	\$100,568,900	\$97,466,100	\$102,780,900	\$101,725,300
FTE/Other					
Total FTE	1,318	1,216	1,209	1,213	1,212
Vehicles	106	130	155	157	157

*Non-state funds as estimated by agency.

Annual Leasing Report: Judicial Branch							
	Annual Lease	Space	Parking Stalls		Annual Lease	Space	Parking Stalls
SL Courts Complex Matheson	\$5,790,218	701,000	254	Juvenile Courts			
Roosevelt	36,000	4,225		Cedar City Juvenile	\$77,600	5,600	9
Tooele (Dist. & Juv)	93,700	7,490	30	SL South Probation	81,200	4,430	25
Iron County	22,600	3,077	14	SL City Probation	84,500	5,000	30
Monticello	28,700	3,206		SL West Probation	49,300	3,550	23
Davis County District	225,050	22,219		Delta Probation	6,000	702	5
American Fork	340,900	27,558	79	Manti	13,800	1,940	2
Bountiful - Bond Pmt	335,600	24,804	71	Provo Storage	1,800	360	
Nephi	34,800	3,080		Kanab	64,100	4,549	4
Carbon County	173,700	18,279	75	Springville	28,000	4,450	9
Grand County	123,900	11,936		Blanding Juvenile	5,000	328	
Richfield/Sevier	188,100	19,839		Orem Probation	86,400	5,000	20
Spanish Fork	32,800	3,270		SL Central Probation	54,100	3,330	15
Wash. County - Rev. Bond	349,600	45,726	40	<i>Juvenile Courts Total</i>	\$551,800	39,239	167
Duchesne	83,300	7,013	10				
4Th Dist. Records	18,500	2,701		<i>Line Item Total</i>	\$11,751,768	1,228,806	309
Provo	548,400	59,929					
Layton	386,700	40,050	93	Secondary Leases			
West Valley	380,400	26,300	91	Coalville	\$23,000	1,865	
Beaver	85,100	7,088	52	Fillmore	91,000	8,598	
Emery County	152,900	8,799	45	Kanab	58,200	3,846	
Silver Creek Summit Cty	253,500	15,096	67	Loa	15,000	2,600	
Junction - Piute	54,300	4,120		Manila	22,800	3,137	
Heber City	179,800	10,044.00	28	Manti	42,600	6,945	
Farmington	965,200	76,480		Morgan	16,600	2,727	
<i>Primary Lease Total</i>	\$10,893,768	1,153,329	949	Panguitch	24,700	3,901	
				Randolph	11,300	2,415	
Guardian Ad Litem				Salem	1,000	104	
Provo	\$34,114	2,369	6	<i>Secondary Total</i>	\$306,200	36,238	0
Cedar City	7,543	730	5				
Salina	3,600	1,200	5				
<i>GAL Line Item Total</i>	\$45,260	4,299	16	Courts Total	\$11,789,028	1,233,105	1,132

